

PETITION FOR VARIANCE

ANN HUTH, Petitioner

14th District

or final Order.

DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204

Property Owner:

Existing Zoning:

Proposed Zoning:

Location:

STEPHEN E. COLLINS DIRECTOR

Mr. Arnold Jablon

Zoning Commissioner

County Office Building Towson, Maryland 21204

NW Corner Elmwood & Meadow Rds. (401 Elmwood Rd.).

BEFORE THE ZONING CONSISSIONER

Rlie Cole Friedman

People's Counsel for Baltimore County

OF BALTIMORE COUNTY

Case No. 84-210-A

:::::::

ENTRY OF APPEARANCE

above-captioned matter. Notices should be sent of any hearing dates

or other proceedings in this matter and of the passage of any preliminary

Please enter the appearance of the People's Counsel in the

Phyllis Cole Friedman

Peter Max Zimmerman

Rm. 223, Court House

February 9, 1984

Item No. 143, 144, 145, (146) 147, and 149 Meeting of December 20, 1983

Towson, MD 21204

I HEREBY CERTIFY that on this 7th day of February, 1984, a copy

of the foregoing Entry of Appearance was mailed to Ann Huth, 401 Elmwood Road,

Baltimore, MD 21206, Petitioner; and Security Builders, Inc., 6660 Security

Blvd., Baltimore, MD 21207, Petitioner's Representative.

Deputy People's Counsel

HARRY J. PISTEL, P. E. DIRECTOR February 1, 1984 Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204 Re: Item #146 (1983-1984) Property Owner: Ann Huth W/S corner Meadow Rd. and Elmwood Rd. Acres: 82.51/89.89 X 84.01/38.53 District: 14th Dear Mr. Jablon: The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject General: Baltimore County highway and utility improvements exist and are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 146 (1983-1984).

ROBERT A. MORTON, D.E., Chief

RAM: EAM: FWR:ss

J-NE Key Sheet 19 NE 18 Pos. Sheet NE 5 E Topo 89 Tax Map

Acres: District: Dear Mr. Jablon: The Department of Traffic Engineering has no comments for item numbers 143, 144, 145, 146, 147, and 149. Traffic Engineering Assoc. MSF/ccm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE February 13, 1984 COUNTY OFFICE BLDG.
111 W. Chesapease Ave.
Towson, Maryland 21204

Ms. Ann Huth
401 Elmwood Road Baltimore, Maryland 21206 Nicholas B. Commodar: Chairman RE: Item No. 146 - Case No. 84-210-A Petitioner - Ann Huth Variance Petition Department of The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning. Fire Prevention Realth Department Project Planning Building Department Board of Education Enclosed are all comments submitted from the members of the Committee at this time that offer or request infor-Zoning Administration mation on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly. Very truly yours, "hicholas & Commadaii, hee. NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee NBC:bsc Enclosures cc: Mr. Steven Feldman Security Builders, Inc. 6660 Security Blvd. Baltimore, Md. 21207



February 14, 1984

Mr. William Hammond **Coming Commissioner** Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Ann Huth

Location: NW/Cor. Meadow Road and Elmwood Road

Item No.: 146

Zoning Agenda: Meeting of 12/20/83

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

EXCEEDS the maximum allowed by the Fire Department.

() 3. The vehicle dead end condition shown at __

() 4. The site shall be made to comply with all applicable parts of the

Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Set Joseph Kelly 9.15-54 Approved: Fire Prevention Bureau Special Inspection Division

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES TOWSON, MARYLAND 21204 TED ZALESKI, JR.

Mr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

January 17, 1984

Comments on Item # 146 Zoning Advisory Committee Meeting are as follows:

Property Owner: Ann Huth Location: NW/Cor. Meadow Road and Elmwood Road Existing Zoning: D.R. 5.5

Proposed Zoning: Variance to permit a rear yard setback of 25' in lieu of

the required 30'. Acres: 82.51/89.89 x 84.01/38.53 District: 14th.

The items checked below are applicable:

All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other appli-B. a building & other permit shall be required before beginning construction. . Residential: Three sets of construction drawings are required to file a permit

application. Architect/Engineer seal is/is not required. Mon-reproduced seals and signatures are required on Plans and Technical Data. D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E.) An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code,

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require

E. Before this offic; can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.

1. comments - The wall adjoining the property line shall be a 2 hour rated wall without openings. No part of structure shall intrude on adjoining property.

MOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake *ve.,

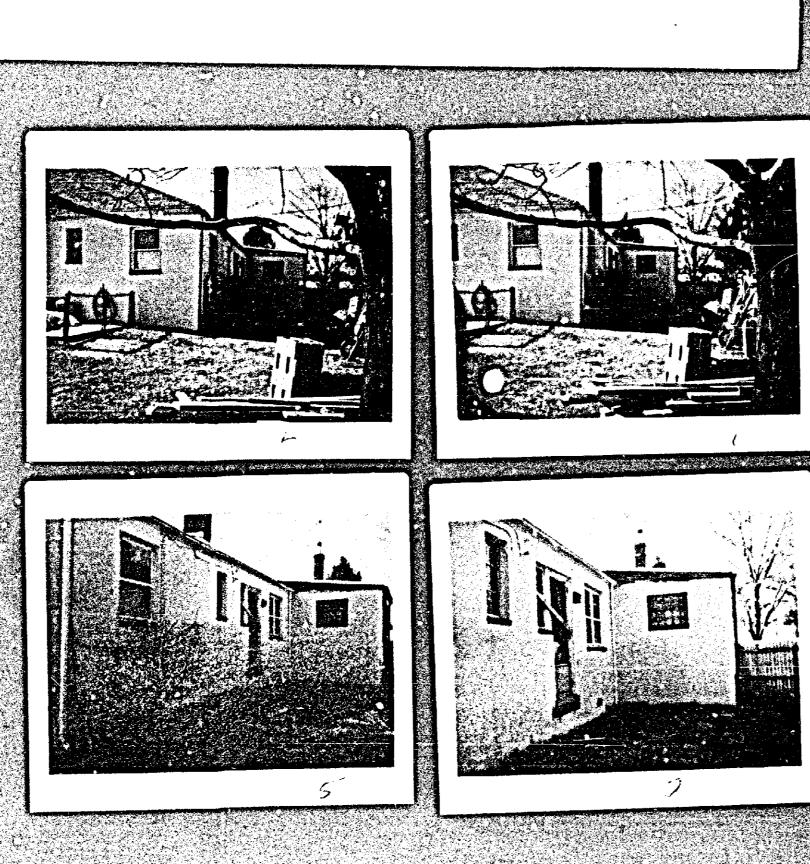
Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of IN RE: PETITION ZONING VARIANCE BEFORE THE the community, the variance(s) should /should not be granted. NW/corner of Elmwood and Meadow The Petitioner seeks relief from Section 1802.3.C.1, pursuant to Section Roads (401 Elmwood Road) - * ZONING COMMISSIONER Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this -14th Election District Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, 307, of the Raltimore County Zoning Regulations (BCZR). OF BALTIMORE COUNTY day of ______, 19____, that the herein Petition for Variance(s) to permit Ann Huth, this _____ day of February, 1984, that the Fetition for Variance to permit An area variance may be granted where strict application of the zoning Case No. 84-210-A a rear yard setback of 25 Yeet instead of the required 30 feet be and is hereby Petitioner regulation to the petitioner and his property would cause practical difficulty. GRANTED, from and after the date of this Order, subject to the following: McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area * * * * * * * * * * * variance, the Petitioner must meet the following: 1. The Petitioner may apply for her building permit and be FINDINGS OF FACT AND CONCLUSIONS OF LAW granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this 1. whether strict compliance with requirement would unrea-The Petitioner herein requests a variance to permit a rear yard setback of time is at her own risk until such time as the applicasonably prevent the use of the property for a permitted ble appellate process from this Order has expired. If, purpose or render conformance unnecessarily burdensome; 25 feet instead of the required 30 feet. The purpose of her request is to confor whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible 2. whether the grant would do substantial injustice to apstruct a two-story addition to her home, . more fully described on Petitioner's for returning, said property to its original condition. plicant as well as other property owners in the district or whether a lesser relaxation than that applied Exhibit 1. for would give substantial relief; and The Petitioner appeared and testified. There were no Protestants. 3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public Testimony indicated that the subject property is zoned D.R.5.5. The Petisafety and welfare secured. Baltimore County tioner's recent marriage has increased her family, thereby creating a necessity Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974). for more room. There are three teenagers now living in the house and the addi-It is clear from the testimony that if the variance were granted, such use tional space is mandated. The Petitioner proposes to construct a two-story adas proposed would not be contrary to the spirit of the BCZR and would not result dition to the rear of the dwelling, which is a duplex. The Petitioner's immein substantial detriment to the public good. diately adjacent neighbor has a 23' x 12' addition, the same size proposed by After due consideration of the testimony and evidence presented, it is clear the etitioner, which also required a variance. Additionally, there are at that a practical difficulty or unreasonable hardship would result if the instant least three other neighbors on Elmwood Road who have additions. The Petitionvariance were not granted. It has been established that the requirement the Peer's property is a corner lot, fronting on Elmwood Road. The proposed addition tition seeks relief from here would unduly restrict the use of the land due to cannot be built elsewhere on the property. If built on the side facing Meadows the special conditions unique to this particular parcel. In addition, the vari-Road the addition would obstruct traffic in both directions and not be compatiance requested will not be detrimental to the public health, safety, and general ble with the other similar additions. Because the house is a duplex, one side yard has been eliminated. The rear yard is the only available area in which to Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested DATE BY **-** 2 **-**ين موادر بها مناها بها - 3 -January 9, 1984 BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 Ms. Ann Huth 401 Elmwood Road Baltimore, Maryland 21206 ZONING DESCRIPTION NOTICE OF HEARING ARNOLD JABLON ZONING COMMISSIONER Re: Petition for Variance NW/corner Elmwood & Meadow Roads BEGINNING at a point, N.W. corner of Meadow Road and Elmwood Road, thence by a curve to the left having a radius of 20 feet and an arch length of 31.42 feet, thence by a curve to the right having a radius of 463.39 feet an arch length of 66.80 feet, thence S 83 degrees 39 minutes 10 seconds W - 38.53 feet, thence S 18 degrees 18 minutes 20 seconds W - 89.89 feet, thence S 71 degrees 41 minutes 40 seconds E - 13.0 feet, thence by a curve to the left having a radius of 88.45 feet, an arch length of 68.30 feet to point of beginning. (401 Elmwood Road) February 21, 1984 Ann Huth - Petitioner Case No. 84-210-A Me. Ann Huth 401 Elmwood Road TIME: 11:00 A.M. Baltimore, Maryland 21206 DATE: Monday, February 27, 1984 beginning. Re: Petition for Variance February 29, 1984 NW/cor. Elmwood & Meadow Rds. PLACE: Room 106, County Office Building, 111 West Chesapeake (401 Elmwood Road) Ann Huth - Petitioner Avenue, Towson, Maryland Case No. 84-210-A cc: Security Builders, Inc. Dear Me. Huth: c/o Steven Feldman Mr. & Mrs. Dayl C. Carlson, Sr. 401 Elmwood Road 6660 Security Boulevard This is to advise you that _____is due for advertising and posting Baltimore, Maryland 21207 Baltimore, Maryland 21206 of the above property. IN RE: Petition Zoning Variance This fee must be paid and our zoning sign and post returned on the day NW/corner of Elmwood and Meadow of the hearing before an Order is issued. Do not remove sign until day of hearing. Roads (401 Elmwood Road) - 14th Election District Please make the check payable to Baltimore County, Maryland, and Ann Huth, Petitioner remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Case No. 84-210-A Towson, Maryland 21204, before the hearing. Dear Mr. & Mrs. Carlson: of Baltimore County I have this date passed my Order in the above-referenced matter in accordance with the attached. BALTIMORE COUNTY, MARYLAND No. 124000 OFFICE OF FINANCE · REVENUE DIVISION BALTIMORE COUNTY, MARYLAND Sincerely, MISCELLANEOUS CASH RECEIPT OFFICE OF FINANCE - REVENUE DIVISION LDJABLON MISCELLANEOUS CASH RECEIPT 01-615-000 Commissioner MATE 2-27-84 ARNOLD JABLON R-01-615-000 Zoning Commissioner AJ/srl Attachments cc: People's Counsel (Class. 8 UTS******35DOID FOSTA 0 037*****38641b \$274A VALIDATION OR SIGNATURE OF CASHIER VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCE 14th Election District TO Zoning ZONING: Petition for Variance Northwest corner Elmwood and Meadow Roads (401 Elmwood LOCATION: FROM __Qff Road) Monday, February 27, 1984 at 11:00 A.M. DATE & TIME: SUBJECT___ PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland The Zoning Commissioner of Baltimore County, by authority of the Zoning Act on this and Regulations of Baltimore County, will hold a public hearing: Petition for Variance to permit a rear yard setback of 25 ft. instead of the required 30 ft. Being the property of Ann Huth, as shown on plat plan filed with the Zoning Department. NEG/JGH/ In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY Mr. Steven Feldman Security Builders, Inc. 5660 Security Blvd. Baltimore, Md. 21207 Ms. Ann Huth 401 Elmwood Road Baltimore, Md. 21206 BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your petition has been received and accepted for filing this 20th day of January , 19 84 Zoning Commissioner Received by Micholas B. Commodari Chairman, Zoning Plans Petitioner Ann Huth Petitioner's Attorney Advisory Committee Petition For Variance **Ue Times** LATH ELECTION
DISTRICT
ZONING: Petition fo Variance
LOCATION: Northwest corner Elmwood and Meadow Roads (401 Elm-wood Roads DATE & TIME: Mon-day, Feb. 27, 1984 at 11:00 This is to Certify, That the annexed PUBLIC HEARING: was inserted in Oge Times, a newspaper printed The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, and published in Balcimore County, once in each permit a rear yard estback of 25 ft. instead of the re-quired 30 ft.

Being the property of Ann Huth, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a build-ing permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause be received in writing by the date of the hearing set above or made at the hear-By Order Of Araold Jobion

BALTIMORE COUNTY, MARYLAND	
INTER-OFFICE CORRESPONDENCE	
d Jablon ng Commissioner Date Feburary 16, 1984	
man E. Gerber, Director ice of Planning and Zoning	
Ann Huth - 84-210-A	
ere are no comprehensive planning factors requiring comment petition.	
Norman E. Gerber, Director Office of Planning and Zoning	
/sf	



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Zoning Commissioner TO Office of Planning and Zoning Date February 13, 1984 FROM Ian J. Fr. rest SURJECT Zoning Variance Items Meeting - December 20, 1983

> The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

Item # 143 - Michael Lasky Item # 144 - Martin K. Brushwiller

Item #(146) - Ann Huth

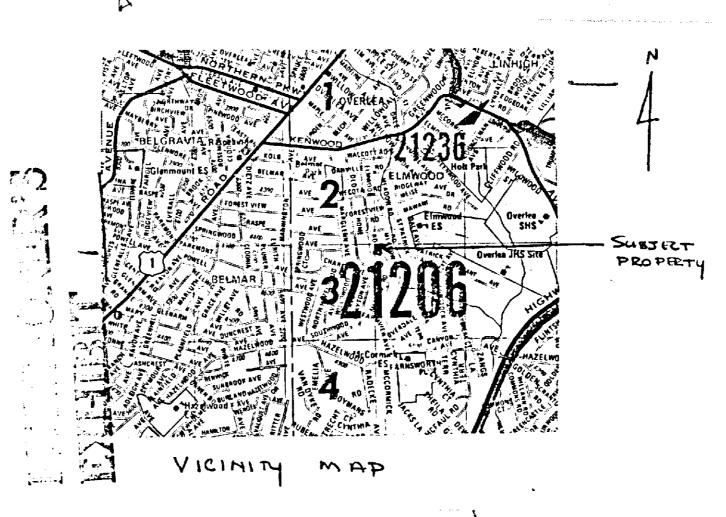
Item # 147 - Alvin Wagenheim, et al

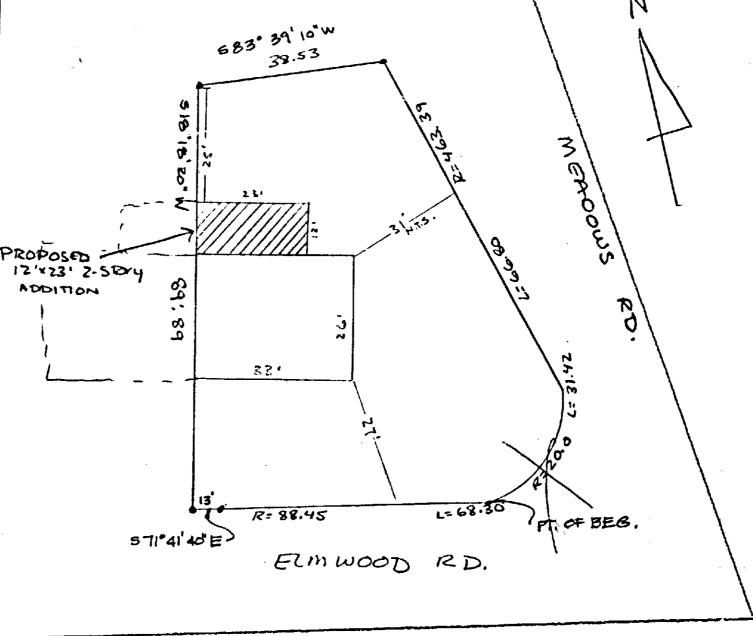
Item # 149 - R. William and Dorothy A. Callahan

Item # 150 - Oliver Beach Improvement Assoc.

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

IJF/fth





PLAT FOR ZONING VARIANCE OWNER - ANN HUTH DISTRICT - 14, ZONED D.R. 5.5 SUBDIVISION - ELM WOOD SCALE - 1" = 20'

Itom +146

CERTIFICATE OF PUBLICATION

timore County, will hold a public hearing:
Petition for Variance to permit a rear yard sethack of \$5 \$t. instead of the required 30 ft.

Being the property of Ann Huth, as shown on plat plan filed with the Soning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Soning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shows, Such request must be reserved in writing by the date of the hearing.

By Order Of ARNOLD JABLON,
Soning Commissioner of Baliknore County

Feb. 8.

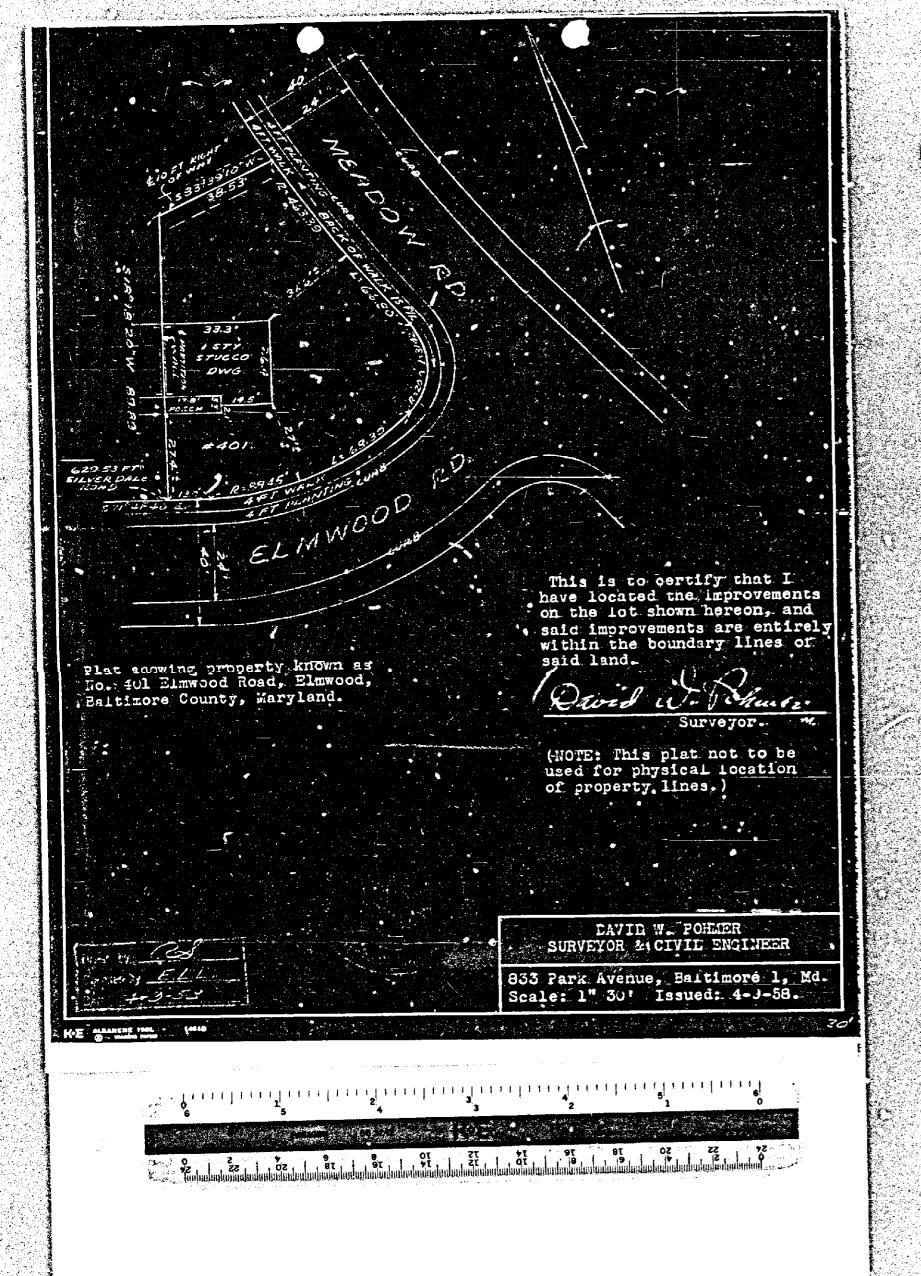
TOWSON, MD., February S., 19 El THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., oncexino each of one time propositive our before the __27tb____ day of _____ February ___, 19_81__, the most publication appearing on the 9th day of _____ February_

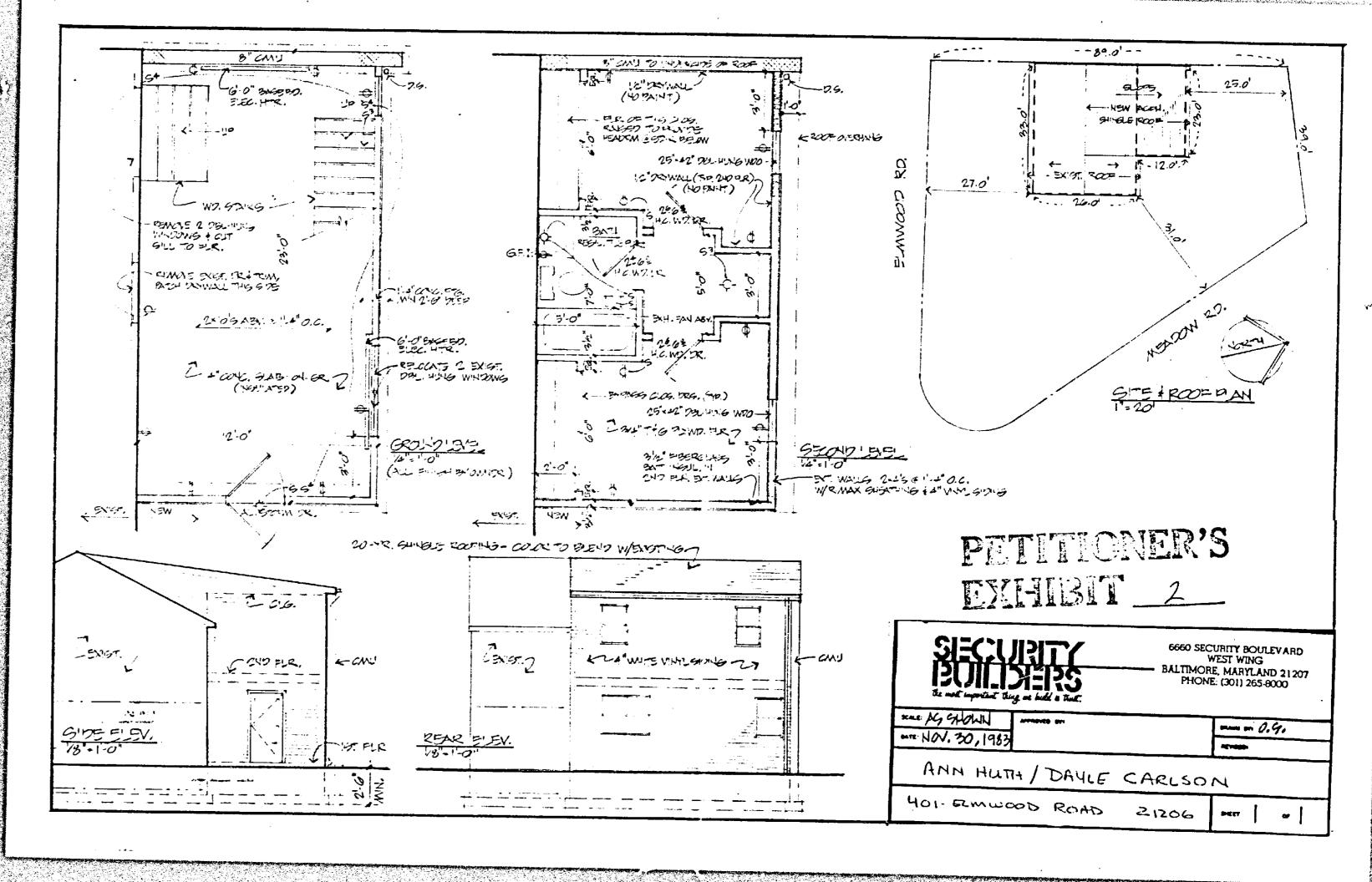
THE JEFFERSONIAN,

Cost of Advertisement, \$ 16.00

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Date of Posting 3/12/84 Location of property: NW/C Elmwood & Modow Ms. Location of Signs: fraing intersection of almond:





Andreas Contratos (1971)